

June 17, 2011

MEMORANDUM

To: Frances Barron, Chairperson
State Board of Health

From: Richard Whitley, MPH, Secretary
State Board of Health

Re: Samaritan House; Halfway Houses for Recovering Alcohol & Drug Abuse; Compliance Agreement

NAC 439.280(3), "Schedule for compliance." "In those areas of the state which are not in a health district, or in case of a regulation enforced exclusively by the state board of health, the state health officer may postpone the enforcement of and agree to a schedule for compliance with the regulation. If the period needed by such a person to comply exceeds 30 days, the schedule must be submitted to the state board of health for approval." Request for approval of the Compliance Agreement between Samaritan House and the State Health Division's Bureau of Health Care Quality and Compliance and the State Health Officer.

STAFF REVIEW

Recently adopted regulations increased annual renewal fees for Halfway Houses for Recovering Alcohol & Drug Abuse (HWH) from \$1,010.00 a year to \$9,312.00. Samaritan House is a 43 bed HWH located in Las Vegas, Nevada. The facility has already remitted its 2011 renewal fee of \$1,010.00 and is requesting a negotiated compliance agreement due to a financial hardship. The facility is requesting to only pay \$1,400.00 of the \$9,312.00 total.

Samaritan House is a non-profit organization established in 1965 for the purpose of rehabilitating and returning chronic alcoholic men back into society. The administrator reports the facility has served over 284 residents in 2008, 267 in 2009 and 398 in 2010. The average length of stay is approximately three months with a return to treatment rate around 10%. Residents pay \$110.00 a week for rent and the administrator reports many residents are unable to pay their weekly rent sometimes up to three or four weeks while they seek regular employment, but they are never turned away for failing to pay their rent. If they fail in their recovery and leave the facility by their own choice, many leave actually owing the facility money. The administrator reports that frequently he and board members use their own personal funds to pay the facility bills. In addition, the building is old and maintenance expenses further add to the organization's financial hardship. Furthermore, the facility receives no grant, federal or state monies toward operations.

The negotiated compliance agreement is attached. The agreement indicates Samaritan House agrees to pay \$1400.00 for 2011 instead of the new renewal fee of \$9312.00.

STAFF RECOMMENDATION

Staff recommends that the Board of Health accept the Compliance Agreement established between Samaritan House and the State Health Division.

PRESENTER

Patricia Chambers, RN, HFS IV

Bureau of Health Care Quality and Compliance
Proposed
Compliance Agreement
Nevada State Health Division and Samaritan House

June 17, 2011

This Compliance Schedule is agreed upon by Samaritan House, the State Health Division, Bureau of Health Care Quality and Compliance, the State Health Officer and the State Board of Health.

The goal is to allow operations at Samaritan House to continue so recovering alcohol and drug abusers find recovery and lead productive, healthy lives. Recently adopted regulations increased the annual renewal fee for Halfway Houses for Recovering Alcohol and Drug Abuse and Samaritan House is unable to comply with the new fee regulations.

Samaritan House wants to continue serving recovering alcohol and drug abusers at their 4th Street location as a Halfway House for Recovering Alcohol and Drug Abusers with the following conditions:.

- 1) The facility will remain in substantial compliance with all statutes and regulations concerning Halfway Houses for Recovering Alcohol and Drug Abuse.
- 2) The Health Division will accept the amount of \$1400 as the renewal fee and will waive all additional fees for 2011 due to hardship described by the operator.

Signed: _____
Michael Denny, Administrator

Date: _____

Signed: _____
Richard Whitley, MPH, Administrator, NSHD

Date: _____

Signed: _____
Tracey Green, MD, State Health Officer, NSHD

Date : _____

Signed: _____
Francine Barron, Chairperson, State Board of Health

Date: _____